

P20417.A16



Customer No.: 7055

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Thomas Thor e SCHERB et al.

Confirmation No.: 5460

Appln. No. : 09/769,464

Group Art Unit: 1731

Filed : January 26, 2001

Examiner: E. J. Hug

For : MACHINE AND PROCESS FOR PRODUCING A TISSUE WEB

**RESPONSE TO NOTICE OF DRAWING INCONSISTENCY WITH  
SPECIFICATION**

**Mail Stop Issue Fee**

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

Responsive to the Notice of Drawing Inconsistency with Specification mailed on May 27, 2004, reconsideration and withdrawal of the Notice made therein are respectfully requested, in view of the following remarks. Inasmuch as the Notice sets a one-month shortened statutory period which expires June 28, 2004 (June 27, 2004 being a Sunday), this response is being timely filed.

In the Notice of Drawing Inconsistency with Specification mailed on May 27, 2004, the Examiner acknowledged receipt of the drawings filed May 15, 2003, but indicated an inconsistency between drawings and the specification, i.e., a brief description of Figures 8 - 10 is not contained in the application. Applicants submit that this Notice has been forwarded in error, and request confirmation that the drawings are acceptable and issuance of the U.S.

Letters Patent.

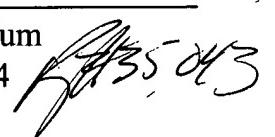
Applicants note that, as originally filed, the instant application contained Figures 1 - 7, and that, during prosecution of the application, Figure 3 was amended. On May 15, 2003, Applicants submitted one sheet of formal drawings containing Figure 3, along with a cover letter indicating that formal drawings for Figures 1, 2, and 4 - 7 were previously submitted, such that the official file contains formal drawings of Figures 1 - 7. Moreover, no other drawings were forwarded with Figure 3, nor were any Figures other than Figures 1 - 7 mentioned in the correspondence.

Thus, Applicants cannot understand the June 28, 2004 Notice regarding Figures 8 - 10, as such Figures were not forwarded to the U.S. Patent and Trademark Office. Moreover, in reviewing the image wrapper available on the PAIR system, Applicants note that only 1 sheet of drawings (Figure 3) is shown as being submitted on May 15, 2003.

Accordingly, Applicants submit that the June 28, 2004 Notice was forwarded in error and should be withdrawn. Moreover, Applicants request that the instant application be processed for issuance.

Should there be any questions or comments, the Examiner is invited to contact the undersigned at the below-listed telephone number.

Respectfully submitted,  
Thomas Thor e SCHERB et al.

  
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June 25, 2004  
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